

2023:PHHC:106271

**239 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRA-S-1247-2023

Date of Decision: 17.08.2023

NAMDEV SINGH

... PETITIONER

VS.

STATE OF PUNJAB AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.J.K.Singla, Advocate
for the appellant.

Ms. Ruchika Sabherwal, DAG, Punjab.

Mr. Deepak Kohli, Advocate
for respondent No.2.

VIVEK PURI, J.(ORAL)

1. The appellant has assailed the order dated 15.04.2023 vide which his application for anticipatory bail has been dismissed by the Court of learned Additional Sessions Judge in the complaint case titled as 'Charanjeet Kaur Vs. Bittu Singh and others' under Sections 341/323/354 IPC and under Sections 3 of the SC & ST (Prevention of Atrocities) Act.

2. Learned counsel for the appellant contend that there is nothing to indicate that the alleged occurrence took place in public view and the essential ingredients of the provision of SC & ST (Prevention of Atrocities) Act are not made out. Furthermore, the dispute has been amicably settled between the parties.

3. Learned counsel for respondent No.2 has not disputed the fact of amicable settlement.

4. In terms of the order dated 27.04.2023, the Coordinate Bench had directed that no coercive step shall be taken against the petitioner till the next date of hearing.

5. It is complaint case and the custodial interrogation of the appellant is not required.
6. Keeping in view the aforesaid submissions and the circumstances appearing on record, the appeal is allowed and it is directed that the appellant shall surrender before the trial Court on or before 24.08.2023, the next date of hearing fixed in the trial Court and on doing so, the appellant shall be admitted on bail subject to the satisfaction of the trial Court. This order is further subject to the condition that the appellant shall appear on each and every date of hearing in the trial Court and also complies with the provisions of Section 438(2) Cr.P.C.

17.08.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No